

EXPRESS MAIL NO. EV398872793US

PTO/SB/21 (08-03)

Approved for use through 07/31/2006. OMB 0651-0 031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  (To be used for all correspondence after initial filing)	Application Number	10/672,842
	Filing Date	September 26, 2003
	First Named Inventor	Kelvin C. Broderson
	Group Art Unit	3725
	Examiner Name	Shelly M. Self
	Attorney Docket No.	64368-3

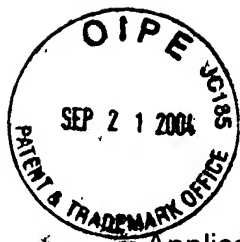
ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement; Form PTO-1449 <input type="checkbox"/> Cited References <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts under 37 C.F.R. 1.52 or 1.53 <input type="checkbox"/> Response to Missing Parts/Incomplete Application	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Request for Corrected Filing Receipt <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Declaration <input type="checkbox"/> Statement under 37 CFR 3.73(b) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> CD(s), Number of CD(s) <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Return Receipt Postcard <input type="checkbox"/> Additional Enclosure(s) (please identify below): _____ _____ _____
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Individual Name	George C. Rondeau, Jr.	22504
Signature		
Date	September 21, 2004	

CERTIFICATE OF FACSIMILE TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date specified below.		
Typed or printed name	SENT BY EXPRESS MAIL	
Signature		Date:

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Kelvin C. Broderson  
Application No. : 10/672,842  
Filed : September 26, 2003  
For : FLOOR JACK

Examiner : Shelly M. Self  
Art Unit : 3725  
Docket No. : 64368-3  
Date : September 21, 2004.

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents:

In response to the Restriction Requirement dated August 23, 2004, Applicant hereby elects the species of Figures 1-10 and 18 (the first species listed in the restriction requirement).

As noted by the Examiner, all independent claims 1, 13, 30, 39, and 48, are generic. Applicant has carefully reviewed the remainder of the claims pending in the application and believes they all read upon the elected species of Figures 1-10 and 18, except claims 9, 16, 20, and 50.

It is noted that Figure 18 included in the elected species shows the locking mechanism used in the embodiment of Figure 19 (Figure 19 being indicated as a different species, the 8th in the list provided in the restriction requirement). If the locking mechanism of Figure 18 was not intended to be included in the elected species of Figures 1-10 and 18, then the non-elected claims would include claims 10-12, 26-29, 36-38, 45-47, 53 and 54. However, as noted above, the locking member 98 shown in Figure 18 is included in the first listed species of Figures 1-10 and 18 elected by Applicant and hence these claims do read on the elected species. If there is any confusion as to which Figures should be included in the elected species, the Examiner

is urged to contact the undersigned by telephone to expedite processing of the application.

Consideration of the elected claims is now requested.

Respectfully submitted,  
Kelvin C. Broderson  
DAVIS WRIGHT TREMAINE LLP

By George C. Rondeau, Jr.  
George C. Rondeau, Jr.  
Registration No. 28,893

GCR:ml  
Enclosure:  
Postcard  
2600 Century Square  
1501 Fourth Avenue  
Seattle, WA 98101-1688  
Phone: (206) 628-3150  
Facsimile: (206) 628-7699